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ABELMAN FRAYNE

001/012

ATT: Charles Snoot  
smoot

From: STEVEN Ortni  
(212) 885-9219

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ABELMAN, FRAYNE & SCHWAB

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16 SEP 2004

Legal Staff  
International Division

Assist. Commissioner for Patents  
Date Stamp as acknowledgement  
of receipt of:

APPLICANT : BAGLIONI, et al.  
Serial No. : 10/019,732  
Filed : July 2, 1999  
For : ENGINE FUELS CONSISTING  
EMULSION COMPRISING N  
NATURAL OILS, THEIR PR  
USE IN INTERNAL COMBU

Examining Atty : N/A  
Art Unit : N/A

ATTY DOCKET: 205,437

DOCUMENT: Request to Rescind Notice  
of Abandonment Issued  
in Error...  
Photocopies of Nos 1-5  
Return Postcard

Exp. Mail No. ET 537 589 819

Initials: TES/dlb  
Date Mailed: 05 MAR 2004



09/23/2004 CSMOOT 00000005 010035 10019732  
Sale Ref: 00000005 DAH: 010035 10019732  
02 FC:2640 100.00 DA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BAGLIONI, et al.  
Serial No. : 10/019,732  
Filed : July 2, 1999  
For : ENGINE FUELS CONSISTING OF AN  
EMULSION COMPRISING MINERAL OR  
NATURAL OILS, THEIR PREPARATION  
AND USE IN INTERNAL COMBUSTION  
ENGINE  
Examining Atty : N/A  
Art Unit : N/A

ATTY DOCKET: 205,437

March 5, 2004

REQUEST TO RESCIND NOTICE OF ABANDONMENT  
ISSUED IN ERROR AND PETITION TO REVIVE

To the Commissioner for Patents:

A Notice of Abandonment dated February 27, 2004 was recently received by our office.  
Our office file indicates that the response referenced in the Notice was timely filed via Express  
Mail and duly acknowledged by the Office on a dated-stamped postcard receipt.

"EXPRESS MAIL" ET 537 589 819 US  
Date of Deposit: 5 March 2004  
This correspondence is being deposited with the United  
States Postal Service "Express Mail Post Office to Ad-  
dressee" service under 37 CFR 1.10 on the date indicated  
above and is addressed to: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Copies of the following are attached:

1. Photocopy of Notification of Missing Requirement under 35 U.S.C. 371 dated 4/2/2002.
2. Photocopy of executed Declaration and Power of Attorney.
3. Photocopy of return postcard and check No. 11967 for \$65 dated 4/18/2002.
4. Photocopy of original return postcard with U.S. PTO mail room stamp indicating date of receipt of April 18, 2002
5. Photocopy of canceled check no. 11967 deposited by U.S. PTO.

It appears that the Declaration and related documents were not associated with the file as a result of a clerical error by the Office.

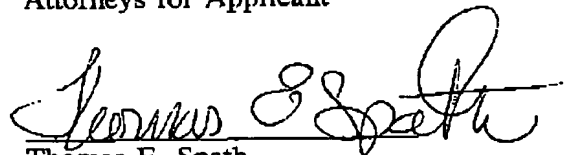
Applicants respectfully request that the Notice of Abandonment be rescinded and that the application be returned to the Examining Group for prompt issuance of an examination report.

No fee is believed to be due in connection with this Petition and Request. In the event that the Office determines that a fee is due, authorization is hereby provided to charge this firm's deposit account No. 01-0035.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB  
Attorneys for Applicant

By



Thomas E. Spath  
150 East 42nd Street  
New York, NY 10017-5612  
(212) 949-9022



The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/019,732	PCT/EP99/04607	205,437

FORM PCT/DO/EO/BD5 (371 Formalities Notice)

## UNITED STATES

UTILITY PATENT APPLICATION  
DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

ATTORNEY'S DOCKET NO.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled

(1) TITLE OF  
INVENTION(1) ENGINE FUELS CONSISTING OF AN EMULSION COMPRISING MINERAL AND/OR NATURAL OILS,  
THEIR PREPARATION AND USE IN INTERNAL COMBUSTION ENGINE

the specification of which

(2) CHECK  
APPROPRIATE  
BOX(2) ☐ is attached hereto.☒ was filed on July 02, 1999 as Application No. PCT/EP99/04607and was amended on August 03, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 CFR 1.56(a): the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and as to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States prior to this application by me or my legal representatives or assigns.

(3) CHECK  
APPROPRIATE  
BOX(3) ☐ no such applications have been filed, or☐ such application(s) have been filed as follows:(4) COMPLETE  
DATA  
INDICATED  
IF  
APPLICABLE

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION				
Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 USC 119
(4)				Yes No
				Yes No
				Yes No
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION				
(4)				

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(5) COMPLETE  
DATA INDICATED  
IF APPLICABLE(5) \_\_\_\_\_  
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)(5) \_\_\_\_\_  
(Application Serial No.) (Filing date) (Status: patented, pending, abandoned)

(Page 1 of 2)

Per of Attorney: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jeffrey A. Schwab, Registration Number 24,490  
Thomas E. Spath, Registration Number 25,928  
Jay S. Cinamon, Registration Number 24,156

Howard R. Jaeger, Registration Number 31,376  
Anthony Coppola, Registration Number 41,493

Send correspondence to:  
ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, New York 10017-5612

Direct telephone calls to:  
Jeffrey A. Schwab, Thomas E. Spath,  
Jay S. Cinamon, Howard R. Jaeger,  
or Anthony Coppola at (212) 949-9022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

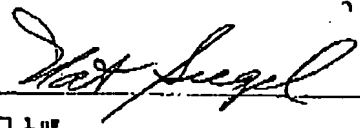
(6) DETAILS  
REQUIRED  
FOR EACH  
INVENTOR

Full Name of Sole or First Inventor <b>Piero BAGLIONI</b>	Inventor's Signature <i>[Signature]</i>	Date <b>Feb. 01, 2002</b>
Residence <b>Via di Mimmo 192/a - 50010 FIESOLE - ITALY</b>		Citizenship <b>ITALIAN</b>
Post Office Address <b>AS ABOVE</b>		
Full Name of Second Joint Inventor, If Any <b>Emiliano FRATINI</b>	Inventor's Signature <i>[Signature]</i>	Date <b>Feb. 01, 2002</b>
Residence <b>Via S. D'Acquisto 3 - 59100 PRATO - ITALY</b>		Citizenship <b>ITALIAN</b>
Post Office Address <b>AS ABOVE</b>		
Full Name of Third Inventor, If Any <b>Riccardo RICCI</b>	Inventor's Signature <i>[Signature]</i>	Date <b>Feb. 01, 2002</b>
Residence <b>Via Baldovini 19 - 50126 FIRENZE - ITALY</b>		Citizenship <b>ITALIAN</b>
Post Office Address <b>AS ABOVE</b>		
Full Name of Fourth Joint Inventor, If Any <b>Giuseppe SARTI</b>	Inventor's Signature <i>[Signature]</i>	Date <b>Feb. 01, 2002</b>
Residence <b>Via D. M. Manni 45 - 50135 FIRENZE - ITALY</b>		Citizenship <b>ITALIAN</b>
Post Office Address <b>AS ABOVE</b>		
Full Name of Fifth Joint Inventor, If Any <b>David CHIARAMONTI</b>	Inventor's Signature <i>[Signature]</i>	Date <b>Feb. 01, 2002</b>
Residence <b>Via V. Emanuele 191 - 50134 FIRENZE - ITALY</b>		Citizenship <b>ITALIAN</b>
Post Office Address <b>AS ABOVE</b>		
Full Name of Sixth Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Joint Inventor, If Any	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

ABELMAN, FRAYNE & SCHWAB

150 East 42<sup>nd</sup> Street, New York, New York 10017-5612

Page 2 of 2

<b>ABELMAN, FRAYNE &amp; SCHWAB</b> <b>COMMISSIONER ACCOUNT</b> 150 EAST 42ND STREET NEW YORK, NY 10017		11967
PAY TO THE ORDER OF <b>COMMISSIONER OF PATENTS AND TRADEMARKS</b>		DATE <u>4/18/02</u> 1-777/280 A
<b>THE SUM 65 DOLLARS</b>		\$ <u>65.00</u>
<b>STERLING NATIONAL BANK</b> 622 Third Avenue New York, NY 10017-6707		DOLLARS
FOR <u>G0643</u>		
⑈018967⑈ ⑈026007773⑈ 0811743001⑈		

Hon. Commissioner of  
Patents and Trademarks

Date Stamp as acknowledgement  
of receipt of:

APPLICANT: BAGLIONI et al.  
 SERIAL NO. 10/091,732  
 FOR: "Engine Fuels..."  
 CONTROL NO. 205,437  
 DOC. TYPE: **IDS+ Form 449**  
 Copy of Notice to File  
 Missing Requirements  
 Executed Declaration and  
 Power of Attorney  
 Check for \$65 for filing fee  
 Return postcard  
 Initials: TES/jfb  
 Date Mailed: 18 April 2002  
 Label No.: ET 537 596 960 US



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APR 30 2002

ABELMAN, FRAYNE & SCHWAB

Hon. Commissioner of  
Patents and Trademarks

Date Stamp as acknowledgement  
of receipt of:

APPLICANT: BAGLIONI et al.

SERIAL NO. 10/091,732

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Return postcard

Initials: TES/jfb

Date Mailed: 18 April 2002

Label No.: ET 537 596 960 US



<b>ABELMAN, FRAYNE &amp; SCHWAB</b> COMMISSIONER ACCOUNT 130 EAST 42ND STREET NEW YORK, NY 10017		11967
PAY TO THE ORDER OF COMMISSIONER OF PATENTS AND TRADEMARKS		DATE <u>4/18/02</u>
\$ <u>65.00</u>		THE SUM OF SIXTY FIVE DOLLARS & 00/100
FOR <u>60643</u>		
STERLING NATIONAL BANK 100 WALL STREET NEW YORK, NY 10038		
MICR LINE: ⑆011967⑆ ⑆0026007773⑆ ⑆0811743001⑆ ⑆0000006500⑆		

04/29/2002 11967 \$65.00

2000038000-12/02 0004 -1000000000-5 0000000000 04/18/02 0000408000 0520-0027-8 0000408000 04/29/02	APR 26 02 0016 65621	FIRST NATIONAL BANK 100 WALL STREET NEW YORK, NY 10038 ⑆0080011109⑆
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DCKET NO
10/019,732	Piero Baglioni	205,437

INTERNATIONAL APPLICATION NO
------------------------------

PCT/EP99/04607

1.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/02/1999

Thomas E Spath  
Abelman Frayne & Schwab  
150 East 42nd Street  
New York, NY 10017

CONFIRMATION NO. 7375

371

ABANDONMENT/TERMINATION  
LETTER

\*\*\*\*\*  
\*OC000000011984064\*

Date Mailed: 02/27/2004

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 04/02/2002 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

VONDA M WALLACE

Telephone: (703) 305-3736

## PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

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